

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6107

BILL NUMBER: HB 1021

NOTE PREPARED: Apr 30, 2009

BILL AMENDED: Apr 29, 2009

SUBJECT: School and Church Bus Matters.

FIRST AUTHOR: Rep. Crouch

FIRST SPONSOR: Sen. Becker

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: *Church Bus:* The bill provides that a school bus that is used as a church bus may be equipped with red lamps or flashing lights, or both, and a stop arm if the red lamps, flashing lights, and stop arm are rendered inoperable.

Enhanced Penalty for Bodily Injury: The bill increases the penalty for recklessly passing a stopped school bus displaying an extended arm signal device from a Class B to a Class A misdemeanor if the offense causes bodily injury to a person.

Suspension of Driving Privileges: It requires a court to recommend the driving license suspension of a person who recklessly commits certain offenses resulting in bodily injury.

(The introduced version of this bill was prepared by the Sentencing Policy Study Committee.)

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Suspension of Driving Privileges:* The court currently notifies the Bureau of Motor Vehicles of a suspended driver's license. No fiscal impact is expected since the court already suspends a person's driving privileges for not less than 30 days or more than one year for a person who operates a vehicle recklessly and damages the property of another person.

Explanation of State Revenues: *Church Bus:* The bill may reduce the number of offenders convicted of a Class C misdemeanor by allowing a school bus to be sold as a church bus with the red lamps or flasher lights and stop arm as long as they are rendered inoperable. The maximum fine for a Class C misdemeanor is \$500.

Enhanced Penalty for Bodily Injury: There are no data available to indicate how many offenders would be convicted of a Class A misdemeanor for causing bodily injury to another person as the result of recklessly passing a school bus that has stopped on the roadway with arm signal device extended. The underlying offense is a Class B misdemeanor.

Revenue to the Common School Fund may increase if a person is sentenced for a Class A misdemeanor rather than for a Class B misdemeanor. The maximum fine for a Class B misdemeanor is \$1,000, while the maximum fine for a Class A misdemeanor is \$5,000. Court fees of \$120 would remain unchanged.

Explanation of Local Expenditures: *Enhanced Penalty for Bodily Injury:* Costs to local governments could increase because the maximum term of imprisonment for a Class B misdemeanor is up to 180 days, while the maximum term for a Class A misdemeanor is up to one year. The average daily cost of housing a prisoner is an approximately \$44.

Explanation of Local Revenues: *Enhanced Penalty for Bodily Injury:* Court fees of \$120 would remain unchanged.

State Agencies Affected:

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association.

Fiscal Analyst: Karen Firestone, 317-234-2106.